

77A

Notice of Allowability

Application No.

10/803,870

Examiner

Tu-Tu Ho

Applicant(s)

MAKITA ET AL.

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Paper filed 03/18/2004.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 18 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 03/18/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


David Nelms
Supervisory Patent Examiner
Technology Center 2800

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Claim 8, line 1, recites:

“An device for manufacturing a sheet-type β -FeSi₂ element, comprising;”;

However, the steps that follow are clearly directed to a method for manufacturing. Accordingly, the preamble has been changed to:

“A method for manufacturing a sheet-type β -FeSi₂ element, comprising:”.

Allowable Subject Matter

3. Claims 1-8 are allowable over the prior art of record.

The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach or render obvious a sheet-type β -FeSi₂ element and a method for manufacturing the same having all exclusive limitations as recited in claims 1, 4, and 8, the element forming a junction thin-film element comprising two kinds of β -FeSi₂ semiconductor thin-films with p-type and n-type characteristics on a flexible sheet, a part of the junction thin-film element being changed into an α -Fe₂Si₅ metal film for an electrode, and a dielectric substance on the surface of

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the junction thin film element; the method comprising providing first impurities and powders of Fe and Si with an atomic ratio of about 1 to 2, heating processing at 500-900 °C to form a first β -FeSi₂ semiconductor thin-film, providing on the first β -FeSi₂ semiconductor thin-film second impurities opposite in characteristics to the first impurities and powders of Fe and Si with an atomic ratio of about 1 to 2, heating processing at 500-900 °C to form a second β -FeSi₂ semiconductor thin-film, thereby forming a p-n junction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Copies of the references are not being furnished with this Office Action per MPEP § 707.05(a).

a) Leong et al. U.S. Patent 6,288,415 disclose an optoelectronic semiconductor device comprising a silicon p-n junction having a photoactive region containing beta-iron disilicide (β -FeSi₂).

b) Morooka et al. U.S. Patent Application Publication 20040203220 discloses that in crystalline iron silicide, only β -FeSi₂ has been known to have a semiconductor characteristic.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu-Tu Ho whose telephone number is (571) 272-1778. The examiner can normally be reached on 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID NELMS can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TH

Tu-Tu Ho
April 25, 2005



David Nelms
Supervisory Patent Examiner
Technology Center 2800